



SCOTT ALLEN

REPRESENTATIVE • 97TH ASSEMBLY DISTRICT

For Immediate Release
Contact: Rep. Scott Allen

January 19, 2018
(608) 266-8580

JANUARY 21 IS THE 8TH ANNIVERSARY OF CITIZENS UNITED V. FEDERAL ELECTION COMMISSION. REP. ALLEN RELEASED THE FOLLOWING STATEMENT IN LIGHT OF THAT ANNIVERSARY AND TWO RESOLUTIONS PENDING BEFORE THE ASSEMBLY COMMITTEE ON CONSTITUTION AND ETHICS.

Statement on legislation aimed at overturning *Citizens United*

"In a free country, censorship is intolerable."

Citizens United v. FEC has become the Left's obsession, and an explanation for many of America's woes over the last eight years since it was decided. The reality is that the U.S. Supreme Court got the *Citizens United* decision correct: it is a resounding rejection of government censorship.

Citizens United began when a "conservative" nonprofit corporation released a film about Hillary Clinton shortly before the 2008 presidential election. Some perceived "*Hillary: The Movie*" as advocating against a candidate, and the Federal Elections Commission (FEC) called foul, citing a prohibition on "electioneering." The political organization which funded the movie was Citizens United, and it modeled the project after what filmmaker Michael Moore had done with *Fahrenheit 9/11*.

Moore released *Fahrenheit 9/11* leading up to the 2004 presidential election, and blamed President Bush for the terrorist attacks of September 11, 2001. One study by Cheryl Koopman, PhD found those who viewed the movie perceived President Bush more negatively than those polled before watching the film.



SCOTT ALLEN

REPRESENTATIVE • 97TH ASSEMBLY DISTRICT

The FEC labeled the anti-Clinton movie “electioneering,” but didn’t touch the anti-Bush movie. Both movies were funded by corporations. Ironically, Desson Thomson, writing for The Washington Post (a corporate newspaper), wrote about *Fahrenheit 9/11*, “If there was any movie to affect the political middle -- those rare Americans who come to each presidential election without a pre-existing opinion -- this may be it.” A newspaper corporation, published an opinion about a film-making corporation which was engaging in “electioneering,”—and thereby did its own electioneering. Which corporations are allowed to publish opinions and which ones are not?

An honest analysis is that the federal government was using its power to stifle communication from some and not others. This, by definition, is censorship. Other forms of speech—books, articles, anything with a tie to a corporation—would have been in violation of the same electioneering laws. The Supreme Court saw a remarkable intrusion into the First Amendment. In a free country, censorship is intolerable.

Proponents of Assembly Joint Resolutions 35 and 53, (both relating to the *Citizens United* decision) contacting my office have a common statement they share with me: “corporations are not people, and have no constitutional rights.” A corporation is a group of people. There is no constitutionally-defensible argument that individuals sacrifice their rights when they agree to come together for a common purpose. If corporations did not have at least *some* constitutional rights, absurd scenarios would result.



SCOTT ALLEN

REPRESENTATIVE • 97TH ASSEMBLY DISTRICT

The Democratic National Committee (DNC) is a corporation. Not long ago, former DNC Chairwoman Donna Brazile admitted that the DNC became essentially an arm of the Hillary Clinton campaign months before the 2016 Democratic primary had been decided. Brazile also leaked debate questions to Hillary Clinton before a debate between Clinton and Bernie Sanders. So here's the question: since the DNC is a corporation, does it have constitutional rights, or can the FBI conduct a warrantless search of its records to determine if the 2016 presidential primary was rigged against Bernie Sanders?

I will forever defend the right to free speech whether it be for one individual or a group of individuals organized as a union, for-profit corporation, a non-profit corporation, or the local parent-teacher association.

Citizens United was correctly decided, which is why neither 2017 AJR 35 or 53 will get a hearing during my tenure as Chairman of the Constitution and Ethics Committee.

###

*The 97th Assembly District includes portions of the City of Waukesha
and the Towns of Waukesha, Genesee, and Mukwonago.*